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7  
8 **IN THE UNITED STATES BANKRUPTCY COURT**  
9 **IN AND FOR THE DISTRICT OF ARIZONA**

10 In re:

11 TIMOTHY RAY WRIGHT,  
12  
13 Debtor.

Chapter 11

Case No. 2:09-bk-32244-SSC

14 **NOTICE OF FILING MOTION FOR**  
15 **RELIEF FROM THE AUTOMATIC**  
16 **STAY**

17 Nicole P. Hymas ("Hymas"), a creditor and party-in-interest in the  
18 above-captioned proceedings, by and through her undersigned counsel, hereby gives  
19 notice of the filing of her *Motion for Relief from the Automatic Stay*. The Motion  
20 requests an Order granting relief from the automatic stay of 11 U.S.C. § 362(a) to permit  
21 Hymas to exercise her rights and remedies under state law to continue her defense of an  
22 appeal currently pending in the Arizona Court of Appeals, Case No. (CV2006-003485)  
23 between the Debtor (as Appellant) and her (as Appellee).

24 A copy of the Motion is on file with the Office of the Clerk of the United States  
25 Bankruptcy Court at the address shown below and is available for public inspection  
26 during business hours.

1 Any and all objections to the Motion must be made in writing, with the original  
2 thereof filed under the above case caption, to:

3 Office of the Clerk  
4 United States Bankruptcy Court  
5 230 North First Avenue  
6 Phoenix, Arizona 85003

7 with a copy of the written objection served that same day upon the attorney for Hymas  
8 whose name and address is:

9 Christopher R. Kaup, Esq.  
10 Tiffany & Bosco, P.A.  
11 Third Floor Camelback Esplanade II  
12 2525 East Camelback Road  
13 Phoenix, Arizona 85016-4237

14 If no objections are properly filed and served within **14 days** from the date of this  
15 Notice, the Court may enter the attached proposed form of Order granting the relief  
16 sought in the Motion without any further hearings in this matter.

17 **DATED** this 15th day of June, 2010.

18 **TIFFANY & BOSCO, P.A.**

19 By: /s/ Christopher R. Kaup, #014820

20 Christopher R. Kaup, Esq.  
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25 *Attorneys for Nicole P. Hymas*  
26

1 **FOREGOING** filed electronically with  
2 the United States Bankruptcy Court for  
3 the District of Arizona this 15th day of  
4 June, 2010, with a **COPY** of the  
5 foregoing mailed this same date to:

6 Timothy Ray Wright  
7 727 West University Drive  
8 Tempe, AZ 85281  
9 *Debtor*

10 Howard C. Meyers, Esq.  
11 BURCH & CRACCHIOLO, P.A.  
12 702 East Osborn, Suite 200  
13 Phoenix, AZ 85014  
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16 Ramesh Singh  
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19 25 S.E. 2<sup>nd</sup> Avenue, Suite 1120  
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*U.S. Trustee*

**20 Largest Unsecured Creditors**

Wells Fargo  
P.O. Box 10355  
Des Moines, IA 50306

Midfirst Bank  
3030 East Camelback  
Phoenix, AZ 85016

Bank of Oklahoma  
P.O. Box 35688  
Tulsa, OK 74153-0688

Washington Federal  
425 Pike Street  
Seattle, WA 98101

Bank of America  
P.O. Box 15026  
Wilmington, DE 19850-5026

All parties listed on the Court's Master  
Mailing Matrix.

/s/ Lauri Andrisani

**20 Largest Unsecured Creditors**

City Wide Home Loans  
Customer Service  
P.O. Box 5170  
Simi Valley, CA 93062-5170

Chase  
Customer Service  
P.O. Box 9176  
Coppell, TX 75019-9176

Compass  
P.O. Box 10566  
Birmingham, AL 35202-0566

Merrill Lynch  
Mortgage Service Center  
P.O. Box 5459  
Mt. Laurel, NJ 08054-5459

Mike Fillian  
14825 South 13th Way  
Phoenix, AZ 85048

Bank of America  
P.O. Box 21848  
Greensboro, NC 27420-1848

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**IN THE UNITED STATES BANKRUPTCY COURT**  
**IN AND FOR THE DISTRICT OF ARIZONA**

In re:

TIMOTHY RAY WRIGHT,  
  
Debtor.

Chapter 11

Case No. 2:09-bk-32244-SSC

**ORDER GRANTING MOTION FOR  
RELIEF FROM THE AUTOMATIC  
STAY**

This matter having come before the Court pursuant to a *Motion for Relief from the Automatic Stay* filed by Nicole P. Hymas (“Movant”) on January 14, 2010, at Docket Entry No. 499 (the “Motion”), and the Motion having been properly served and noticed, and good cause appearing;

**IT IS HEREBY ORDERED** granting the Motion;

**IT IS FURTHER ORDERED** that all stays and injunctions, including the automatic stay imposed by U.S. Bankruptcy Code § 362(a) are hereby immediately vacated and annulled to permit Movant to exercise her rights and remedies under state law to continue her defense of an appeal currently pending in the Arizona Court of

1 Appeals, Case No. (CV2006-003485) between the Debtor (as Appellant) and her (as  
2 Appellee).

3 **IT IS FURTHER ORDERED** that Movant and/or its successors or assigns are  
4 hereby authorized to take whatever actions Movant deems appropriate to exercise any  
5 and all rights and remedies as to the relief sought in the Motion.

6 **IT IS FURTHER ORDERED** that this Order vacating and annulling the  
7 automatic stay imposed by U.S. Bankruptcy Code § 362(a) shall be binding and effective  
8 in the event the Debtor convert this case to another chapter under the U.S. Bankruptcy  
9 Code.

10 **IT IS FURTHER ORDERED** waiving the 14-day stay provided by Rule  
11 4001(a)(3), Fed.R.Bankr.P.

12 **DATED AND SIGNED ABOVE.**